

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

DATE: March 10, 2011

**JUDGE
MICHAEL H. SCHNEIDER**

**COURTROOM DEPUTY: Linda Pritchard
COURT REPORTER: Jan Mason**

DEANNA DWYER, ET AL	
VS.	CAUSE NO:
CITY OF CORINTH, ET AL	4:09cv198

ATTORNEY FOR PLAINTIFF	ATTORNEY FOR DEFENDANT
MICHAEL JOSEPH WHITTEN	CASEY ERICK

MINUTES OF MOTION HEARING

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN:	9:15 A.M.	ADJOURN:	
TIME:	MINUTES:		
9:15 am	Case called. Attorneys announced present and ready.		
9:15 am	Mr. Whitten addressed the Court regarding pending motion.		
9:23 am	Response by Mr. Erick.		
9:25 am	The Court announced that it will grant a new trial because of improper conduct of defense counsel.		
9:31 am	The Court gave a deadline of October 3, 2011 for Pretrial Conference at 9:00 a.m. The deadline to file joint pretrial motions would be September 7, 2011. There will be no further discovery in the case. The required mediation date will be August 15, 2011 and Chief Justice Linda Thomas of Dallas, Texas is appointed as the mediator.		

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9:34 am	Mr. Whitten addressed the Court regarding an expert who was previously excluded and asked to use him for the trial. Mr. Erick responded that there was no expert report produced and that was why he was excluded. The Court will enter a deadline for an expert for the one particular witness. If the defense requires a witness to counter-balance it, it will be considered.
9:35 am	Mr. Erick addressed motion for attorney's fees. The motion is denied.
9:40 am	Court adjourned.

DAVID J. MALAND, CLERK

By: Linda Pritchard
Courtroom Deputy Clerk